

## II. IN THE CLAIMS

Claims 1-44 are pending.

Claims 1-34 were previously cancelled.

Claim 35 is currently amended.

Claims 36-39 remain unchanged.

Claims 40-44 are cancelled herein.

The status of the claims is as follows:

35. (Currently amended) A noise control device for a glass window in a building, comprising an audio frequency sensor attachable to a surface of said window, an encoder interface adapted to receive signals from said audio frequency sensor, said encoder interface including processing means for detecting in a received signal a predetermined characteristic of noise external to said building, for generating a cancellation signal and for supplying said cancellation signal to an audiofrequency actuator ~~coupled~~ directly attached to the glass of the window and adapted to couple said signal into the glass to cause the glass to radiate the acoustic antiphase signal into the building to reduce the perceived intensity of the external noise in the building.

36. (Previously presented) A noise control device according to Claim 35, wherein the microphone and the acoustic actuator are combined into a single device.

37. (Previously presented) A noise control device according to Claim 36, wherein said single device is a magnetostrictive actuator.

38. (Previously presented) A noise control device according to Claim 35, wherein the predetermined characteristic is indicative of the noise of an airplane flying over said building.

39. (Previously presented) A noise control device according to Claim 35, wherein the predetermined characteristic is indicative of traffic noise.

40-44 (Cancelled)